

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

DAVID SNYDER,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL
SECURITY ADMINISTRATION,

Defendant.

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CASE NO. 1:17-cv-2157

OPINION & ORDER
[Resolving Doc. [1](#)]

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

On October 12, 2017, Plaintiff David Snyder filed a complaint seeking judicial review of Defendant Commissioner of Social Security's decision to deny his social security disability benefits application.¹ On December 3, 2018, Magistrate Judge David A. Ruiz recommended that the Court vacate the Commissioner's final decision and remand the case for further proceedings.²

Any objections to Magistrate Judge Ruiz's Report and Recommendation ("R&R") were due by December 17, 2018. Defendant Commissioner stated she will not file objections.³

The Federal Magistrates Act requires a district court to conduct a *de novo* review only of those portions of a R&R to which the parties have made an objection.⁴ Absent

¹ Doc. [1](#).

² Doc. [15](#).

³ Doc. [16](#).

⁴ [28 U.S.C. § 636\(b\)\(1\)](#).

objection, a district court may adopt the R&R without review.⁵ Because no party has objected to the R&R, this Court may adopt the R&R without further review. Moreover, having conducted its own review of the record, the Court agrees with the conclusions in the R&R.

Accordingly, the Court **ADOPTS** Magistrate Judge Ruiz's R&R, incorporating it fully herein by reference, **VACATES** the Commissioner's final decision, and **REMANDS** the case for proceedings consistent with the opinion.

IT IS SO ORDERED.

Dated: January 30, 2019

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE

⁵ *Thomas v. Arn*, 474 U.S. 140, 149–52 (1985). Failure to timely object may waive a party's right to appeal the magistrate judge's R&R. *Id.* at 155; *United States v. Walters*, 638 F.2d 947, 949–50 (6th Cir. 1981).